

TRANSLATION of related part of Form PCT/ISA/237

PATENT COOPERATION TREATY

From Japanese Patent Office
(INTERNATIONAL SEARCH AUTHORITY)

To: HAYASE, Kenichi HAYASE & CO. 13F, NISSAY SHIN-OSAKA Bldg., 3-4-30, Miyahara, Yodogawa-ku, Osaka-shi, Osaka 532-0003 JAPAN	PCT WRITTEN OPINION OF THE ISA (PCT Rule 43bis)
	Date of Mailing 5 July 2005

Applicant's or agent's file reference P37903-PO	See item 2 below for the subsequent procedure	
International application No. PCT/JP2005/003188	International filing date 25 February 2005	Priority date 27 February 2004
International Patent Classification (IPC) or national classification and IPC Int. Cl ⁷ G09G5/00, H04N7/18		
Applicant Matsushita Electric Industrial Co., Ltd.		

1. This opinion contains indications relating to the following items:

- I Basis of the opinion
- II Priority
- III Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV Lack of unity of invention
- V Reasoned statement under Rule 43,2.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI Certain documents cited
- VII Certain defects in the international application
- VIII Certain observations on the international application

OMISSION (2 and 3)

Date of completion of this opinion 21 June 2005
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Name and mailing address of the ISA/JP Japanese Patent Office	Authorized officer Telephone No.
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WRITTEN OPINION OF THE ISA

International application No.
PCT/JP2005/003188

I . Basis of the opinion

1. This opinion has been drawn on the basis of the language of international application, unless otherwise indicated below.

OMISSION(2, 3, and 4)

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IV. Lack of unity of invention

1. In response to the invitation to pay additional fees the applicant has:
 paid additional fees under protest.
2. This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is
 complied with.

4. Consequently, the following parts of the international application were the subject of written opinion:
 all parts.

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V. Reasoned statement under Rule 43,2.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)	Claims 1-33	YES
	Claims NONE	NO

Inventive Step (IS)	Claims 2, 5, 7-16, 21, 23, 25, 27-29, 31	YES
	Claims 1, 3-4, 6, 17-20, 22, 24, 26, 30, 32-33	NO

Industrial Applicability (IA)	Claims 1-33	YES
	Claims NONE	NO

2. CITATIONS AND EXPLANATIONS

Document 1: JP 6-268897 A (Hitachi, Ltd.)

1994.09.22

Document 2: JP 6-205416 A (Sanyo Electric Co., Ltd.)

1994.07.22

& US 6469746 B1

The inventions relating to Claims 1, 3, 6, 30, and 32 have no inventive steps over the document 1 cited in the International Search Report.

The document 1 describes that the date of shooting is on-screen-displayed on a monitor screen of a video camera (refer to [0002]), that an object position discrimination circuit 2 compares a one-frame-previous video signal with a current video signal to perform motion detection, and outputs object position information b with a position having a level difference being an object (refer to [0011]), and that a date position setting circuit 3 determines an appropriate date display position from the object position information b, and outputs date position information c (refer to [0011]).

Although the document 1 does not describe acquisition of the date display position, A specific example of operation shown in figure 3 is described in [0012] as follows. That is, when the object is located at a position A, the date is displayed at a position C. When the object moves from the position A to the position B, the date is automatically displayed at a position D to prevent overlapping of the date with the object. Therefore, it is obvious for those skilled in the art that, in order to judge overlapping of the object and the date using the object position information b by the date position setting circuit 3, it is necessary to previously recognize that the date display position is the position C.

Further, in the invention described in the document 1, it is easy for those skilled in the art to design the object position discrimination circuit 2 so that, when the object position discrimination circuit 2 performs motion detection, it discriminates an object if the level difference is larger than a predetermined value.

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

a. Although Claim 1 describes "a step of obtaining a display position of the OSD", since it is not described as to what obtains it, from which it is obtained, and how it is obtained, the invention relating to Claim 1 as well as the inventions relating to Claims 2-29 that directly or indirectly refer to Claim 1 are not clear.

Likewise, although Claim 30 describes "an OSD display position acquisition unit for obtaining a display position of the OSD", since it is not described as to from which and how it is obtained, the invention relating to Claim 30 as well as the inventions relating to Claims 31-33 that refer to Claim 30 are not clear.

b. In association with the above-mentioned a., since it is not described as to for which the obtained "OSD display position" is used, in Claims 1-6, 13-14, 24, 27, and 30-33, the inventions relating to these Claims are not clear.

c. Although Claim 1 describes "performing display control for the OSD when the state change amount is larger than a predetermined value", since it is not described as to what kind of display control is carried out, the invention relating to Claim 1 is not clear.

Further, as for the inventions relating to Claims 3-6, 13, 21, 24, 26-27, and 29 that refer to Claim 1, since it is not clear as to what kind of display control is carried out with respect to the OSD in the case where the state change amount is larger than the predetermined value, the inventions relating to these Claims are also not clear. Particularly, Claim 21 describes "the input video information is moved in a predetermined direction to display the same" and, in this case, it is considered that overlapping of the OSD display position with the state change position on the display screen can be avoided without the need of performing any display control for the OSD, and therefore, it is not clear as to what kind of OSD display control is performed in the invention relating to Claim 21.

Furthermore, although Claim 30 describes "an OSD display controller for performing display control for the OSD when the state change amount is larger than a predetermined value", since it is not described as to what kind of display control is carried out, the invention relating to Claim 30 and the inventions relating to Claims 32-33 that refer to Claim 30 are not clear.

d. Although Claims 17-23 describe "the state change position on the display screen", there is no description about "the state change position on the display screen" in Claim 1 which is referred to by Claims 17-23. (Claim 3 describes "the state change position".)

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient.)

Continuation of V.2

The invention relating to Claim 4 has no inventive step over the documents 1 and 2 that are cited in the International Search Report.

The document 2 describes that, when the total sum of luminous signals DATA of the respective pixels in a detection area within one frame is increased/decreased exceeding a detection level ZLEVEL as compared with that in the previous frame, it is determined that there is a change in the screen (refer to [0017] and figure 1).

The inventions relating to Claims 17-20 and 22 have no inventive steps over the document 1. It is easy for those skilled in the art to display the date according to the embodiments described in these Claims, in order to avoid overlapping of the date on the object in the invention described in the document 1.

The inventions relating to Claims 24 and 26 have no inventive steps over the document 1. It is easy for those skilled in the art to return the display of the date to the original position after a predetermined period of time has passed or when the state change amount becomes lower than a predetermined value, in the invention described in the document 1.

The invention relating to Claim 33 has no inventive step over the document 1. It is easy for those skilled in the art to make an external device perform motion detection, in the invention described in the document 1.

The inventions relating to Claims 2, 5, 7-16, 21, 23, 25, 27-29, and 31 are described in none of the documents cited in the International Search Report, and are not obvious to those skilled in the art.